

# Santri Savings: Implementation of the Wadī'ah Contract At Darul Falah Amsilati Bangsri Jepara Islamic Boarding School

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## Abstract

*Savings is one of the products of the wadī'ah contract as long-term storage, but it is different from "Santri Savings" as the application of savings at the Darul Falah Amsilati Islamic Boarding School aims to be a short-term place for storing students' money to manage students' expenses. Depositing money as capital is collected, the pesantren manages savings as a development of the welfare and economy of the pesantren. This research is a field research that is descriptive analysis in nature with a normative juridical approach, the focus is on the wadī'ah contract and the DSN fatwa Number 02/DSN-MUI/IV/2000 concerning savings. Data collection techniques are observation, interviews and documentation. The implementation of the management of santri savings is in accordance with the principles of wadī'ah yad aq-ḍamānah and the DSN-MUI fatwa, but the implementation of the management of santri savings does not explain the ujah and clauses in detail. The results of the utilization of container objects have differences in terms of fiqh and the Sharia Economic Law Compilation. From a fiqh perspective, the management of the centre's savings is the right of the mustaudi and is handed over to the muwadi as the ratio, but Article 426 KHES explains that the management of the wadī'ah yad aq-ḍamānah contract is the overall right of the muwadi. The difference in results shows that the savings of the santri lead to a fiqh approach.*

**Keywords:** savings of students, wadī'ah, yad aq- ḍamānah, wadī'ah contract

## A. Introduction

Along with the times, the need for a person to depend on materials also grows, a solution for the stability of material balance in the future by setting aside and storing. This is known as saving. Law No. 10 of 1998 concerning banking explains the definition of savings as "savings whose withdrawals can only be made according to certain agreed conditions, but withdrawals other than checks, giro bills or other tools equivalent to that matter". This definition explains that savings circulate in the banking world.

Nowadays savings have been running outside the realm of banking, namely in the world of Islamic boarding schools. The strength of human resources in Islamic boarding schools is an indicator of dependence on materials to support the needs of institutions in the future. In the form of innovative empowerment activities for the future by saving, caregivers as the holder of power in Islamic boarding schools certainly choose steps to support development in Islamic boarding schools. The Darul Falah Amsilati Islamic Boarding School has a

“Santri Savings” program. This savings is a managed development step and one of them is from an economic perspective. This development can refer to economic empowerment which gains financial benefits from the students which are managed for the progress of the Islamic boarding school and the welfare of the students.

Savings for students at the Darul Falah Amsilati Islamic Boarding School is one of the mandatory regulations and programs that have been running since the establishment of the pesantren. One of the Islamic boarding schools that apply the principle of economic empowerment is Darul Falah Amsilati Islamic Boarding School. Islamic boarding school which was founded in 2002 and founded by KH. Taufiqul Hakim is located at JL. Kenanga II R T: 03 RW: 12 Sidorejo village, Bangsri sub-district, Jepara regency as a boarding school that implements *entrepreneurship* for the welfare of students.

Historically, caregivers' concerns have been the reason for the formation of savings, which is to prevent losses and also aims to equalize the expenditure of money among students. The economic background of each student is different, but with these savings, caregivers indirectly equalize expenses among students and educate them to form a frugal lifestyle. Santri money transaction system in the form of santri savings. Where all students must save the money they have and are given restrictions on holding money.

As time went by, after the savings system was operational, the Islamic boarding school had an idea to use the money collected to help develop the operational activities of the business units owned by the Darul Falah Islamic Boarding School. although the savings of the santri are not the main source of funds for the Islamic boarding school, the use of savings is also a source of business unit development (Najib Habibi, 2021). “Santri Savings” is a development step that is managed, one of which is from an economic perspective. This development can refer to economic empowerment which gains financial benefits from the students which are managed for the progress of the Islamic boarding school and the welfare of the students. it aims to train students in *entrepreneurship* and personal financial management.

After the savings are entrusted and utilized, the pesantren uses the proceeds or *ujrah* obtained to maximize the facilities for the students so that the students feel comfortable and prosperous. In terms of revolving money, it is fully managed by the pesantren.

Departing from the background that has been described, the author is interested in knowing the implementation of savings on wadī'ah contracts at the Darul Falah Amsilati Islamic Boarding School, but the savings activities are slightly different from savings in general. Therefore, it is a factor to examine and discuss this topic because there is a difference from the previous literature.

## **B. Discussion**

### **1. Wadī'ah contract concept**

*wadī'ah* is the safekeeping of funds that are trusted to safeguard these funds. Application of *wadī'ah* against DSN MUI fatwa No. 36/DSN/-MUI/X/2002

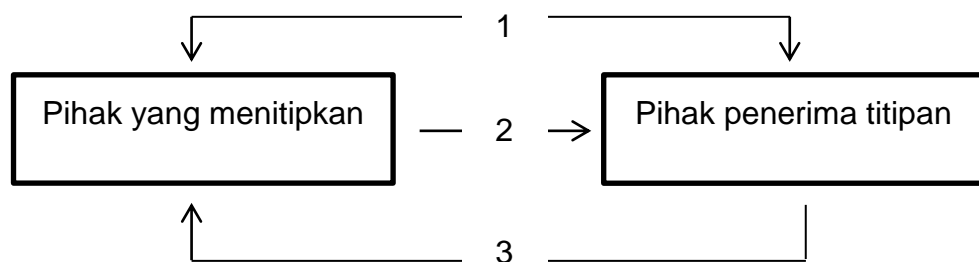
concerning *wadī'ah certificates* from Bank Indonesia. Once the definition of *wadī'ah* is known, it can be understood that *wadī'ah* is a deposit, in which a person contracts with another by entrusting objects to be looked after properly.

scholars agree that *wadī'ah contracts* are binding between the parties. If the parties have fulfilled the conditions and pillars of *wadī'ah*, the party receiving the deposit is responsible for maintaining the item. therefore the *wadī'ah status* is in the hands of a trusted person. That is, all responsibility during the safekeeping of goods is handed over to the recipient of the deposit (Nurnasrin, 2019).

In terms of the contract, two forms of *wadī'ah* can be seen, namely; *first*, *wadī'ah Yad amanah* is a contract for the safekeeping of goods where the recipient of the deposit is not allowed to use the item and is not responsible for damage that is not caused by the actions or negligence of the recipient of the deposit. *Second*, *wadī'ah yad aq-ḍamānah* is a contract for the safekeeping of goods in which the recipient, with or without permission, can use the goods and must be responsible for damage to the goods deposited (Wahbah Zuhaili, 1985).

***W.adī'ah yad al-amanah scheme:***

In principle, *the Wadī'ah yad Al-amānah* contract is a deposit contract in which the party receiving the deposit may not use the item, and if the owner asks for the deposited item back, the item must be surrendered in its entirety both in value and physically.

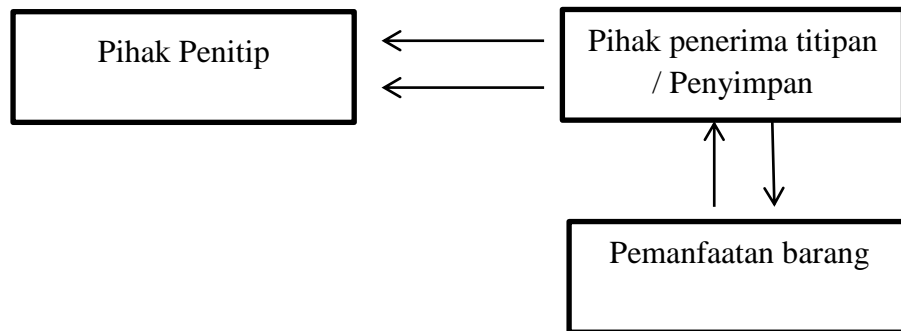


***Information:***

- (1) The depositor agrees to a *wadī'ah contract* with the depositee
- (2) The depositor submits the goods to be kept by the depositee
- (3) The recipient of the deposit returns the item to the sender when requested.

***Wadī'ah Dhamanah Scheme:***

In contrast to *wadī'ah yad al-amanah*, which cannot be used or used as entrusted goods. *Wadī'ah yad aq-ḍamānah* is permissible as well as making use of the goods deposited with the condition that the recipient of the deposit must take care that they are not damaged or lost. However, if you take advantage of the deposited goods and then get a profit, then all profits become the right of the deposit (Ismail, 2011).



*Information:*

In the concept of *Wadi'ah yad damānah*, the depositor delivers the goods to the recipient or depositor, the recipient may use the deposited goods. Of course, the depositor, in this case, gains from utilizing the goods either by utilizing the depositor himself or a third party, therefore the depositary provides incentives to the depositor.

**Ujroh in wadi'ah**

*Ujrah* is the result obtained from a *Wadi'ah contract*, in this case, it is influenced by the type of *Wadi'ah*. If *Wadi'ah yad Al-amanah ujrah* is given by the depositor to the entrusted party or depositor as a service for storage fees. Whereas in the *Wadi'ah contract yad damānah ujrah* is given by the entrusted party to the depositor. The *ujrah* given is the result of utilizing the entrusted object as a ratio or bonus, but the *ujrah* given is not allowed to be mentioned at the beginning of the contract because the *ujrah* to be shared is voluntary (Nur Huda, 2015).

**2. Savings scheme**

Apart from being a regulation for Islamic boarding schools, savings for students are also a system for saving students' savings. This savings is different from the concept of savings in general. The concept of saving at first was saving money for planning future needs, but this saving for students is different, namely the concept of saving is used for collecting money for students which aims not to save it in the long term but to save money in the short term and for taking it, saving students simply is storage of students' money for snacks and daily needs, considering that students are not allowed to carry money independently.

For the needs of students other than snacks, such as the need for toiletries and stationery needs, students can shop at the Pondok mini market without using cash, namely by asking the treasurer of the Pondok Treasurer on duty to find out the balance they have and get a shopping permit *stamp* from the Treasurer. therefore each student is still not allowed to carry cash even if it exceeds the limit given each week. However, if the santri wish to withdraw cash beyond the limit due to the needs of the santri outside the pondok minimarket, it is still permissible on condition that they ask permission from the pesantren treasurer, which is then submitted to the savings treasurer. This is included in the Islamic

boarding school development strategy, bearing in mind that all the needs of the students have been provided at the pondok minimarket, which in turn will return all profits to the Islamic boarding school for development operations.

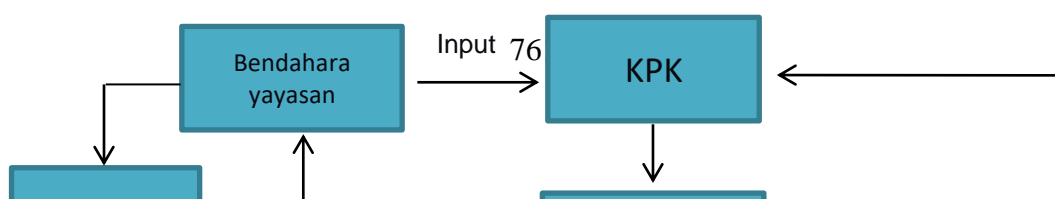
In addition to taking regular savings, if students violate and are subject to fines or students must contribute to event needs (read: dues), savings can be deducted directly through the treasurer's office which will be processed in the snack savings sector. The guardians of the students can still control the expenses of the students through the system provided by the Islamic boarding school, namely SIDAFA.

SIDAFA is a form of digitizing students' finances, such as boarding payments, purchasing students' books and books, as well as Santri Savings. Through this system, santri guardians get the convenience of sending savings money, namely not only cash but can also transfer through the account number provided, after the santri guardian transfers which then confirms to the administrator who is responsible for incoming money for santri. This is proof that Islamic boarding schools are following the technological age, by using via digital and the SIDAFA system, it makes it easier for students and guardians of students to control students' expenses and be safe from theft because all use digital money and must wear a student's identity card which is commonly called an Identity Card. Santri (KTS).

Santri savings transactions are divided into two channels, namely incoming and outgoing money. There is only one door for incoming money, namely through the Financial Monitoring Commission (KPK), both cash and non-cash. Meanwhile, the money-out channel can go through several doors, namely taking students' savings regularly at the savings treasurer, applying for students to withdraw more money or applying for shopping permits to minimarkets and cooperatives as well as *incidental conditions* for administrators in fields such as security and education when students violate fines and do not have the cash to pay for it which is then replaced by savings deductions, as well as the cleaning sector if there are students who want *laundry payments* using savings deductions then the cleaning sector forwards it to the treasurer of the boarding school in the form of data on paying students who use direct savings deductions. Savings lines that operate work according to their fields, in the sense that according to the wheels that have been formed according to the board of directors' deliberations for the success of the santri savings system.

The flow of savings comes in from the guardians of students through the treasurer of the foundation which is submitted to the KPK to be entered into the SIDAFA system. Meanwhile, if students want to withdraw money from savings, they come to the savings treasurer's office with a KTS (Santri Identity Card) and hand it over to the savings treasurer guard.

The systematic savings using e-KTM is a development of the santri savings system, in which the birth of the SIDAFA system and the e-KTS is the result of solving past problems, previously students' savings still used manual savings by hand, and each santri has a savings book respectively, but according to Himami's statement before the existence of the e-KTS and the SIDAFA system.



### **C. Implementation of savings in wadī'ah contracts**

About *wadi'ah savings*, the santri savings system uses a *wadi'ah yad aḍ-ḍamānah contract*. In this case, the santri act as depositors who give money for savings, while the pesantren act as the party entrusted with the santri's money which is saved along with the right to use or utilize the money. As a consequence, the pesantren is responsible for the integrity of the deposited savings and returns it at any time if the santri makes a withdrawal. On the other hand, the pesantren is also entitled to profits from the results of the use or use of funds from students as depositors.

However, in the activities of saving students, the pesantren as the recipient of the savings is unlikely to prioritize the object of the deposit, but instead, manage it in the activities of developing the pesantren's economy through the pesantren's business units. Therefore, the receiving party must ask permission from the santri as the depositor to then use the saved money with a note that the santri as the receiving party gets a guarantee that if the santri needs the money then the money is available. Thus, the practice is *wadī'ah yad aḍ-ḍamānah* (guarantor's hand) who is responsible for any loss or damage that occurs to the item.

The concept of *wadi'ah yad aḍ-ḍamānah* when getting the results, the storage party gives the profit given to the depositor because it is the result of the goods deposited (Nikmah C, 2022), but in the practice of saving students, students do not receive the results of managing these savings, but some students who know about the results of savings management expressing an attitude of acceptance because for students adequate facilities, the security of the money deposited is the result of this management, including all the facilities and welfare provided by Islamic boarding schools is their reason

In the savings activities of students operating at the Darul Falah Islamic boarding school, the practice leads to the type of *wadī'ah yad-ḍamānah*, because the current practice is that after the money has been deposited and has been collected, it is then managed by the Islamic boarding school and used to manage its business units, as well as to Islamic boarding school economic development.

The management of the savings of the students at the Darul Falah Islamic Boarding School leads to the *wadī'ah yad-ḍamānah contract*, this is indicated by the savings collected which will be managed by the pesantren. In the article (3) three paragraph 413 KHES Akad *wadī'ah yad aḍ-ḍamānah*, *mustaud* cannot use *wadī'ah objects* without the *muwaddi's permission*.

The accumulated savings of the students which are then managed to help Islamic boarding school business units will produce results. Jurisprudence's explanation shows that the results obtained from the use of a *wadī'ah contract* are rights for the *mustaudi* or in this contract the role is the pesantren. the proceeds can be divided as a ratio or can be given as a bonus without being mentioned at the beginning of the contract. (Mujiatub Ridawati, 2016) but different from the explanation of the Compilation of Sharia Economic Law (KHES), Article 426 of the KHES explains that everything produced by *wadī'ah objects* belongs to the *muwaddi* (students), the explanation from KHES departs from the previous fiqh explanation. Meanwhile, in the practice of managing savings, students do not receive cash as a result of this utilization. but the management results are played back for the welfare of the santri.

As a consequence of *yad aḍ-ḍamānah*, all profits generated from the deposited funds belong to *mustaudi*. In return, the depositor gets security guarantees for his property. If so, pesantren as *mustaudi* or deposit recipients, as well as parties who have used these funds, are not prohibited from providing some kind of incentive in the form of a bonus provided that it is not required beforehand and the amount is not set in nominal or percentage terms in *advance*, but is truly at the discretion of the Islamic boarding school management, in this case, the Islamic boarding school provides welfare and comfort to students.

The practice of saving santri has fulfilled the pillars and conditions according to the *wadī'ah contract yad aḍ- ḍamānah*, but at the beginning of the contract the pesantren indicated that the tabungan was a deposit contract but it was not explained in detail regarding *the wadī'ah contract yad aḍ- ḍamānah* and it is not clarified regarding the agreed clause on *ujrah* obtained from the use of *wadī'ah objects*. Even though the facilities provided are referred to as the implication of the results of utilizing *wadī'ah objects*, the facilities provided cannot be claimed as *ujrah wadī'ah contracts yad aḍ- ḍamānah*.

#### **D. Conclusion**

Implementation of santri savings in the *wadī'ah yad aḍ-ḍamānah contract*, because the contract used is deposit and collection and then used for the development of the pesantren economy through pesantren business units. Santri as *muwaddi'* already know the use of savings by the pesantren from the management's explanation at the beginning of the contract, this is by the pillars of conditions for utilization of objects in the *wadī'ah yad aḍ-ḍamānah contract*. The

practice of saving santri is in line with the provisions in fiqh and DSN-MUI Fatwa NO: 02/DSN-MUI/IV/2000 concerning savings, santri savings are by the general provisions of *wadī'ah* which are savings in nature, savings can be withdrawn at any time and without any the required reward. Meanwhile, according to fiqh, the savings of students have fulfilled the applicable requirements and pillars. Therefore, transactions that run on these savings of students do not conflict with sharia principles. As for the differences in the results from the use of savings as *wadī'ah objects*, the differences between fiqh opinions and the Sharia Economic Law Compilation (KHES). In fiqh, the utilization results belong to the *mustaudi* and can be shared with the *muwaddi* as a grant or bonus. However, article 426 KHES stipulates that the results of utilization of *wadī'ah yad aq-ḍamānah* belong to the *muwaddi* as a whole. From this difference, Islamic boarding schools lead to fiqh opinions because since the inception of these savings, they have not been regulated and socialization has not reached the Islamic boarding school. Throughout data collection and observation, the savings of the students were only managed by the Pondok as an educational institution and there was no specific financial institution that handled savings management.

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